

Message Text

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ACTION L-01

INFO OCT-01 SS-14 ISO-00 ARA-06 SCA-01 SSO-00 /023 W
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O 172225Z DEC 76 ZFF-4
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC IMMEDIATE 9256

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LIMDIS

FOR L MR LEIGH; SCA MR WALENTYNOWICZ; ARA MR SHLAUDEMANN

E.O. 11652: N/A
TAGS: PFOR, MX
SUBJECT: RATIFICATION OF TREATY ON EXECUTION OF PENAL SENTENCES

REF: GAITHER/LEIGH TELECON DEC 17, 1976

1. IN RESPONSE TO REQUEST ON STATUS OF GOM'S RATIFICATION PROCESS OF TREATY ON EXECUTION OF PENAL SENTENCES, FOREIGN MINISTRY UNDER SECRETARY ROSENZWEIG-DIAZ INFORMED EMBASSY LEGAL ADVISER GAITHER THAT HE WAS "DOUBTFUL" THE TREATY WOULD BE RATIFIED BEFORE THE END OF THIS SESSION OF THE CONGRESS (DECEMBER 31).

2. ROSENZWEIG-DIAZ STATED THAT THE TREATY HAD BEEN SUBMITTED TO THE SENATE FOR APPROVAL BUT THAT THE STATES HAD NOT RATIFIED THE CONSTITUTIONAL AMENDMENT WHICH WOULD ENABLE THE GOM TO PUT THE TREATY INTO FORCE. HE EXPRESSED THE OPINION THAT, EVEN THOUGH TECHNICALLY POSSIBLE, THE SENATE WOULD NOT RATIFY THE TREATY BEFORE THE CONSTITUTIONAL AMENDMENT WAS APPROVED. (DEPARTMENT WILL RECALL THAT AMENDMENT HAS PASSED BOTH HOUSES OF CONGRESS) AND IS NOW AWAITING APPROVAL BY MAJORITY OF STATE
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LEGISLATURES.)

3. ROSENZWEIG-DIAZ STATED THE GOM WAS TRYING TO MEET THE DECEMBER 31 DEADLINE, BUT DID NOT KNOW IF IT WOULD BE POSSIBLE. WHEN ASKED IF HE WAS "PESSIMISTIC", ROSENZWEIG-DIAZ SAID HE WOULD USE THE WORD "DOUBTFUL".

4. LEGAL ADVISER REMINDED ROSENZWEIG-DIAZ THAT ALL CONVERSATIONS DURING THE NEGOTIATIONS WERE BASED UPON THE ASSUMPTION OF PASSAGE BY DECEMBER 31 AND, BARRING THAT, PASSAGE WOULD HAVE TO AWAIT RECONVENING OF THE CONGRESS IN SEPTEMBER 1977. LEGAL ADVISER ASKED IF THIS STILL THE CASE OR WHETHER A SPECIAL SESSION COULD BE HELD. ROSENZWEIG-DIAZ OPINED THAT THE GOVERNMENT WOULD NOT CONVENE A SPECIAL SESSION FOR THE TREATY BUT WOULD PROBABLY INCLUDE IT IF A SPECIAL SESSION WERE CALLED FOR OTHER REASONS.

5. ROSENZWEIG-DIAZ STATED THAT THE SECRETARY WAS GOING TO DISCUSS THE MATTER OF THE TREATY RATIFICATION WITH THE PRESIDENT ON MONDAY AND SAID HE COULD GIVE A BETTER ASSESSMENT AFTER THAT. IT WAS AGREED THAT ROSENZWEIG-DIAZ AND LEGAL ADVISER WOULD DISCUSS STATUS AGAIN ON WEDNESDAY, DEC 22.
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Message Attributes

Automatic Decaptioning: Z
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